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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RAJ SINGH KOHLI and
VEENA KAUR KOHLI

Plaintiffs,

v.

MICHAEL CHERTOFF, et. al.

Defendants.

No. C 06-02459 CRB

JOINT STIPULATION TO VACATE
HEARING ON SUMMARY JUDGMENT
MOTION AND TO EXTEND DEADLINE FOR
PLAINTIFFS' RESPONSE TO DEFENDANTS'
MOTION FOR SUMMARY JUDGMENT

1 On April 7, 2006, Plaintiffs filed a petition for writ of mandamus in this Court, seeking an
2 order that the Court compel the adjudication of the I-730 Petition for Asylee Relative filed by
3 Plaintiff Veena Kaur Kohli on behalf of Plaintiff Raj Singh Kohli.

4 On June 15, 2006, the parties filed a stipulation to continue the case management conference
5 based on the belief that Plaintiffs' case may be resolved in the near future. On September 27,
6 2006, the parties filed a second stipulation for the same reason.

7 On December 1, 2006, the parties filed a Case Management Statement proposing that Plaintiffs
8 would file a motion for summary judgment on December 15, 2006, Defendants would file their
9 Response on December 29, 2006, and Plaintiffs would file their reply on January 5, 2007. The
10 parties agreed to a hearing on the motion for summary judgment on January 19, 2007, at 10:00
11 a.m.

12 Plaintiffs filed their motion for summary judgment on December 15, 2006, and on January 5,
13 2007, in lieu of a Response to that Motion, Defendants filed a Motion to Dismiss as moot because
14 the petition at issue in the mandamus case had been adjudicated on December 28, 2006.

15 The parties agree that Plaintiffs' reply due on January 5, 2007 is now no longer appropriate
16 given that Defendants have filed a motion to dismiss. The parties further agree that the hearing on
17 the motion for summary judgment currently set for January 19, 2007 is also no longer necessary
18 given that Defendants adjudicated the application and Plaintiffs have obtained the relief they
19 sought, and thus request that the Court vacate that hearing date.

20 The parties further agree that Plaintiffs will file a response to Defendants' motion to dismiss on
21 or before Friday January 12, 2007.

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1 DATED: January 5, 2007

Respectfully submitted,

2 KEVIN V. RYAN
United States Attorney

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5 _____/s/
EDWARD A. OLSEN¹
Assistant United States Attorney
6 Attorneys for Respondents

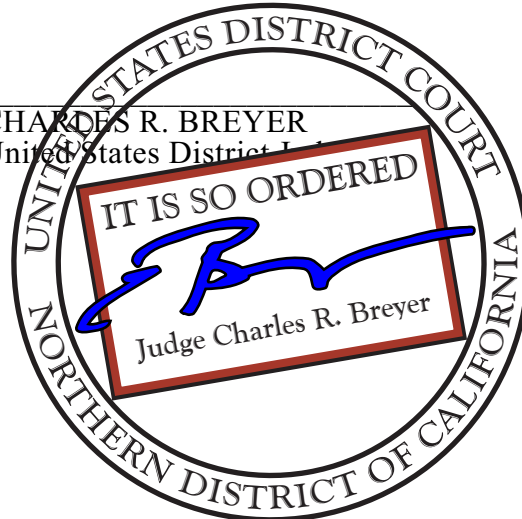
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8
9 DATED: January 5, 2007

_____ /s/
10 STACY TOLCHIN
Van Der Hout, Brigagliano & Nightingale, LLP
11 Attorneys for Petitioner

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14 IT IS SO ORDERED.

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16 DATED: January 9, 2007

17 _____
CHARLES R. BREYER
United States District Judge



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¹I, Stacy Tolchin attest that Edward Olsen, or his representative, has consented to the
filing of this joint case management statement.